

PROB 12C
(7/93)

Report Date: January 22, 2013

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAN 22 2013

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jerbasio C. Brito

Case Number: 2:08CR02142-001

Address of Offender: Unknown

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: 10/6/2009

Original Offense: Possession of a Firearm and Ammunition by a Prohibited Person, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 38 Months;
TSR - 36 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Thomas J. Hanlon

Date Supervision Commenced: 11/23/2012

Defense Attorney: Federal Defender's Office

Date Supervision Expires: 11/22/2014

 PETITIONING THE COURT
To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p>Standard Condition # 6: The defendant shall notify the probation officer at least 10 days prior to any change in residence or employment.</p> <p>Supporting Evidence: On January 21, 2013, Jerbasio Brito left the Spokane Residential Reentry Center, and did not return. Mr. Brito failed to report a change in residence to the probation office.</p>
2	<p>Special Condition # 19: You shall reside in a residential reentry center (RRC) for a period up to 180 days. Your participation in the programs offered by the RRC is limited to employment, education, treatment, and religious services at the direction of your supervising officer. You shall abide by the rules and requirements of the facility.</p> <p>Supporting Evidence: On January 21, 2013, at 9:47 p.m. Jerbasio Brito departed the Spokane Residential Reentry Center, and his current whereabouts are unknown. On January 21, 2013, Mr. Brito was advised that his urine specimen submitted on this date tested positive for cocaine. Once informed of this information, Mr. Brito retrieved his belongings and ran from the facility.</p>

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3 **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On January 21, 2013, Mr. Brito submitted a urine specimen which revealed initial positive findings for cocaine. The specimen has been forwarded to the laboratory for confirmation.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 01/22/2013

s/Richard Law

Richard Law
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other


Signature of Judicial Officer

Jan 22 2013
Date